

## **REMARKS**

Claim 6 has been amended to remove a typographical error. No new matter has been added. Claims 4 and 6 to 10 are pending in the present application. Reconsideration of the claims in view of the below remarks is respectfully requested.

**Claims 4 to 6 and 9 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,101,602 to Fridrich (“Fridrich reference”) in view of U.S. Patent No. 6,504,941 to Wong (“Wong reference”) and further in view of U.S. Patent Application No. 2004/0263911 to Rodriguez et al. (“Rodriguez reference”).**

Applicants thank the Examiner for agreeing that neither the Fridrich nor Wong references teach at least the feature of “wherein the generating the watermark step includes generating the watermark as a function of the proof of identity identification, the first hash value of the document, and an authentic time stamp.”

Further, Applicants respectfully submit for the Examiner’s agreement that the Rodriguez reference cannot be used as a prior art reference against the present application. The present application is a U.S. national stage filing of International Application No. PCT/EP99/06187, having a filing date of August 23, 1999, which claims priority to German Patent Application No. 19847943.3, having a filing date of October 9, 1998.

In contrast, the Rodriguez reference was filed on November 26, 2003, and claims priority from a number of earlier applications of which only two predate the present application. Those two priority applications are U.S. Application No. 09/074,034 (now U.S. Patent No. 6,449,377), having a filing date of May 6, 1998 and U.S. Provisional Application No. 60/071,983, having a filing date of January 20, 1998.

U.S. Provisional Application No. 60/071,983, entitled “Determining Authenticity of Documents Using Multiple Watermarking Techniques,” appears directed to determining the differences between watermarks with respect to grain of the watermark (fine, course, etc.), pixel alignment (e.g., geometrically linear assignment of pixels, geometrically random assignment of pixels), and energy level (e.g., high power, low power). U.S. Provisional Application No. 60/071,983 does not disclose, teach or suggest the feature of “generating the watermark as a function of the proof of identity identification, the first hash value of the document, and an authentic time stamp” as in claim 4 of the present application.

U.S. Application No. 09/074,034 (now U.S. Patent No. 6,449,377) appears directed to line art images in which the luminance of a region is changed by increasing or decreasing the thickness of a line for use in accordance with watermarking techniques. The Application does not disclose, teach or suggest the feature of “generating the watermark as a function of the proof of identity identification, the first hash value of the document, and an authentic time stamp” as in claim 4 of the present application.

Accordingly, regardless of whether or not (and Applicants respectfully submit that it does not) the Rodriguez reference teaches or suggests the feature of “generating the watermark step includes generating the watermark as a function of the proof of identity identification, the first hash value of the document, and an authentic time stamp” as in claim 4 of the present application, the underlying applications on which the Rodriguez reference relies for its pre-October 1998 priority dates do not disclose, teach, or support such a feature. Accordingly, the Rodriguez reference cannot rely on those earlier priority dates for such support, and therefore, cannot be relied upon as a reference against the claims of the present application.

Claim 9 recites features analogous to those of claim 4, and is therefore allowable for essentially the same reasons.

In view of the above, Applicants respectfully submit that claims 4 to 6 and 9 are allowable over the cited references, and kindly request withdrawal of the rejection under 35 U.S.C. 103(a) of those claims.

**Claims 7, 8 and 10 were rejected under 35 U.S.C. § 103(a) over the Fridrich and Wong references further in view of the Rodriguez reference as applied to claim 4, and further in view of U.S. Patent No. 6,636,615 to Rhoads.**

Claims 7 and 8 depend from claim 4, and claim 10 depends from claim 9, and, as discussed above, those claims are believed allowable over the Fridrich, Wong, and Rodriguez references (alone or in combination – note, that the Rodriguez reference can only be used for that provided in its pre-October 1998 priority-claimed applications) for at least the same reasons.

The Rhoads reference purportedly concerns two or more digital watermarks, with different characteristics, embedded in a document, for which characteristics are chosen so that the watermarks will be affected in different manners if the document is subsequently copied or reproduced, involving a detection process or mechanism which reads two or more of the watermarks and compares their characteristics. The Rhoads reference does not cure the deficiencies of the Fridrich, Wong, and Rodriguez references which are discussed above – even when taken in combination. Accordingly, In view of the above, Applicants respectfully submit that claims 7, 8, and 10 are allowable over the cited references, and kindly request withdrawal of the rejection under 35 U.S.C. 103(a) of those claims.

It is therefore respectfully submitted that claims 4 and 6 to 10 are allowable.

CONCLUSION

In view of the foregoing, it is believed that claims 4 and 6 to 10 are allowable. It is therefore respectfully requested that the present application issue.

Respectfully submitted,

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By: /Linda Lecomte/  
Linda Shudy Lecomte (Reg. No. 47,084)

KENYON & KENYON LLP  
One Broadway  
New York, New York 10004  
(212) 425-7200  
**CUSTOMER NO. 26646**